

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

BORIS DAVIDOFF and PROSPECTIVE
INTERNATIONAL TRADING INC,

Plaintiffs,

v.

NASIM SIDDIQI, MOHAMED AMIN,
ANCHOR FINANCE GROUP, LLC,
ANCHOR CAPITAL INTERNATIONAL,
LLC, STANDARD CHARTERED BANK,

Defendants.

Case No. 2:23-cv-00037

JOINT PROPOSED SCHEDULING ORDER

The Parties, by and through their respective counsel of record and pursuant to this Court's July 20, 2023 Order, file this Joint Proposed Scheduling Order and state as follows:

The Court's July 20, 2023, Text Order directed the Parties to meet and confer and file on or before July 26, 2023, a proposed briefing schedule on Defendants' proposed respective dispositive motions.

The Parties have met and conferred and proposed the following briefing schedule:

Dispositive Motions: September 15, 2023

Plaintiffs' Response: October 16, 2023

Movants' Replies: October 31, 2023

Independent of the joint proposed scheduling order the Parties were directed to file by the Court, Plaintiff has requested a briefing schedule on a proposed motion to

consolidate/joinder. As this is outside of the scope of the Court's July 20, 2023, Text Order, Defendants' respective counsel recommend that such briefing be addressed in a separate filing with the Court.

Dated: July 26, 2023

CHRISTOPHER RYKACEWSKI, ESQ.

By: /s/Chris Rykaczewski
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Attorney for Plaintiffs

EVERSHEDS SUTHERLAND (US) LLP

By: /s/Lewis S. Wiener
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Attorneys for Defendant Standard Chartered Bank

**REX WHITEHORN& ASSOCIATES,
P.C.**

By: /s/Jonathan M. Cohen
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*Attorneys for Defendants Siddiqi, Amin,
Anchor Financial, LLC and Anchor Capital
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VIA ECF

July 27, 2023

Hon. Joan M. Azrack
United States District Court
Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, NY 11722

Re: *Case 2:23-cv-00037-JMA-LGD Davidoff et al v. Siddiqi et al
Joint Proposed Briefing Schedule*

Dear Judge Azrack,

Rex Whitehorn & Associates, P.C., represents Defendants Nassim Siddiqi, Anchor Finance Group, LLC and Anchor Capital International, LLC. Attached, please find the Joint Proposed Briefing Schedule on behalf of all of the parties. Our sincere apologies for the delay in filing. This Office had sent a proposed briefing schedule to the other parties on Friday and received the approved Joint Proposed Briefing Schedule after hours yesterday. Again, our sincerest apologies for the delay. If there are any questions, please feel free to contact me.

Sincerely,

REX WHITEHORN & ASSOCIATES P.C.

By: Rex Whitehorn, Esq.

Cc: Chris Rykaczewski, Esq., attorney for the Plaintiffs via ECF

Lewis S. Wiener, Esq., attorney for remaining Defendants via ECF

Jonathan Cohen

From: Jonathan Cohen
Sent: Friday, July 21, 2023 11:47 AM
To: Kessler, Rachael; rrex2012@gmail.com
Cc: Rex Whitehorn; Weber, Scott Louis
Subject: RE: Activity in Case 2:23-cv-00037-JMA-LGD Davidoff et al v. Siddiqi et al Order on Motion for Pre Motion Conference

All:

Good morning. We propose the following schedule for our Motion:

Filing of our Motion on behalf of the Siddiqi Defendants - August 4th
Opposition due by September 1st
Reply September 15th

We do not feel the need for a conference call as we can just reach an agreement as to the Briefing schedule dates by e-mail.

Thank you,

Jonathan

Jonathan M. Cohen
Attorney
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Tel: (516) 829-5000

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From: Rex Whitehorn <rw@rwassociatespc.com>
Sent: Thursday, July 20, 2023 7:03 PM
To: Kessler, Rachael <rachael.kessler@us.dlapiper.com>; rrex2012@gmail.com
Cc: Weber, Scott Louis <Scott.Weber@us.dlapiper.com>; Jonathan Cohen <jc@rwassociatespc.com>
Subject: Re: Activity in Case 2:23-cv-00037-JMA-LGD Davidoff et al v. Siddiqi et al Order on Motion for Pre Motion Conference

To all -

We can email a proposed schedule tomorrow and start from there. We won't need much time to finish and serve our motion to dismiss.

Regards, Rex

From: Kessler, Rachael <rachael.kessler@us.dlapiper.com>
Sent: Thursday, July 20, 2023 4:28:30 PM
To: rrex2012@gmail.com <rrex2012@gmail.com>
Cc: Weber, Scott Louis <Scott.Weber@us.dlapiper.com>; Rex Whitehorn <rw@rwassociatespc.com>
Subject: FW: Activity in Case 2:23-cv-00037-JMA-LGD Davidoff et al v. Siddiqi et al Order on Motion for Pre Motion Conference

Counsel,

Please let me know your availability for a call next Monday or Tuesday to discuss a briefing schedule on Standard Chartered Bank's motion to dismiss.

Thanks,
Rachael

Rachael Kessler (she, her, hers)
Associate

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DLA Piper LLP (US)
dlapiper.com

From: ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
Sent: Thursday, July 20, 2023 11:58 AM
To: nobody@nyed.uscourts.gov
Subject: Activity in Case 2:23-cv-00037-JMA-LGD Davidoff et al v. Siddiqi et al Order on Motion for Pre Motion Conference

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 7/20/2023 at 11:57 AM EDT and filed on 7/20/2023

Case Name: Davidoff et al v. Siddiqi et al
Case Number: [2:23-cv-00037-JMA-LGD](https://ecf.nyed.uscourts.gov/case/2:23-cv-00037-JMA-LGD)

Filer:

Document Number: No document attached

Docket Text:

ORDER denying DE [15] Motion for Pre Motion Conference; denying DE [22] Motion for Pre Motion Conference. The Court waives its pre-motion conference requirement and instead directs the parties to brief Defendants' motions. The parties shall confer and submit a joint proposed briefing schedule for the Court's review, by or before 7/26/2023. Ordered by Judge Joan M. Azrack on 7/20/2023. (MB)

2:23-cv-00037-JMA-LGD Notice has been electronically mailed to:

Rex Whitehorn rw@rwassociatespc.com, ah@rwassociatespc.com, en@rwassociatespc.com, jc@rwassociatespc.com

Scott Louis Weber scott.weber@us.dlapiper.com

Chris Rykaczewski, I rrex2012@gmail.com

Rachael Kessler rachael.kessler@dlapiper.com

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Jonathan Cohen

From: Wiener, Lewis <lewiswiener@eversheds-sutherland.com>
Sent: Wednesday, July 26, 2023 5:35 PM
To: Jonathan Cohen; Rex Whitehorn; rrex2012@gmail.com
Cc: Fox, Melissa
Subject: 2023-07-26 Draft Scheduling Order
Attachments: 2023-07-26 Draft Scheduling Order.docx

Gentlemen:

Attached is the draft proposed joint briefing schedule. **THIS IS DUE TODAY.** Please get back with me ASAP (before 6:00 p.m.) with any questionjs/comments/approval.

I've kicked everything out a week to accommodate Jonathan's October vacation schedule.

Chris: with respect to your request that we add in a a schedule for the briefing of your anticipated motion to consolidate/joinder, I don't know enough about the matter your propose to consolidate or the party(ies) you propose to join to make an intelligent statement to the court. Moreover, the Court's July 20th order directed the parties to propose a briefing schedule for the two proposed dispositive motions that defendants proposed to file. The motion to consolidate/joiner is outside the scope of the court's order. This can be easily and efficiently addressed through your filing a separate motion for leave and requested briefing schedule with the court.

Kindly get back to me ASAP (by 6:00 p.m.) with your approval of the attached so we can get it filed today.

If anyone would like to speak by phone, you may reach me at (202) 299-7992.

Please confirm receipt of this e-mail and its attachment.

Thanks,

Lew Wiener

Eversheds Sutherland (US) LLP is part of a global legal practice, operating through various separate and distinct legal entities, under Eversheds Sutherland. For a full description of the structure and a list of offices, please visit www.eversheds-sutherland.com.

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